

No. 1:17-cv-09305

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Denise Rogers

Appellant/Debtor,

Case No.: 1:17-cv-09305

Honorable Virginia M. Kendall

Fair Deal of Illinois, Inc.

Appellee/Creditor.

**Appeal from the United States Bankruptcy Court
For the Northern District of Illinois
Case No. 17-03337
Honorable A. Donald R. Cassling**

NOTICE OF APPELLANT'S MOTION TO DISMISS APPEAL VOLUNTARILY

TO:

*Denise Rogers, 14117 Calhoun, Burnham, IL 60633 (via US Mail)

*U.S. Trustee, 219 S. Dearborn, Chicago, IL 60604 (via ecf)

* Fair Deal of Illinois, Inc., c/o Paul Bach, Esq., Bach Law Offices, PO BOX 1285, Northbrook, IL 60062 (via ecf)

PLEASE TAKE NOTICE that Appellant Denise Rogers, by and through her attorney, Robert V. Schaller of the Schaller Law Firm, P.C., has requested that this Court dismiss the pending appeal. A copy of the motion is attached.

PLEASE TAKE FURTHER NOTICE that a hearing will be held on said motion on 4/12/18 at 9:00 a.m. before the Honorable Virginia M. Kendall or whoever is sitting in said Judge's stead at the following address: 219 S. Dearborn, Chicago, IL 60604 in Courtroom 2319.

April 5, 2018

Denise Rogers

s/s Robert V. Schaller

By: Robert V. Schaller

Robert V. Schaller
SCHALLER LAW FIRM, P.C.
Attorney for Debtor
700 Commerce Drive, Suite 500
Oak Brook, IL 60523

630-655-1233

AFFIDAVIT OF SERVICE

As an attorney, I certify under penalty of perjury that I mailed a copy of this notice and the attached motion to Denise Rogers at the addresses above by depositing same in the U.S. Mail at a U.S. Post Office Box in Oak Brook, IL on April 5, 2018, postage prepaid. Service was provided to Paul Bach and U.S. Trustee through electronic service (ecf) via the Clerk of the Court.

s/s Robert V. Schaller

Robert V. Schaller

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APPELLANT’S MOTION TO DISMISS APPEAL VOLUNTARILY

Appellant Denise Rogers moves this Court for an order dismissing the pending bankruptcy appeal of Judge Cassling’s order overruling Appellant’ objection to Appellee’s proof of claim. The issue on appeal was mooted by appellee Fair Deal of Illinois filing with the Clerk of the U.S. Bankruptcy Court its “Notice of Withdrawal of Proof of Claim 1-1 of Fair Deal of Illinois, Inc.” Bankruptcy Docket No. 104.

Therefore, appellant requests that this Court dismiss the appeal, each party to pay its own costs and attorney’s fees, and for such other and further relief as the Court deems appropriate.

April 5, 2018

Denise Rogers

s/s Robert V. Schaller

By: Appellant’s Counsel

Robert V. Schaller
SCHALLER LAW FIRM, P.C.
Attorney for Appellant
700 Commerce Drive, Suite 500
Oak Brook, IL 60523
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